

104TH CONGRESS  
1ST SESSION

# S. 1488

To convert certain excepted service positions in the United States Fire Administration to competitive service positions, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 1995

Mr. SARBANES introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To convert certain excepted service positions in the United States Fire Administration to competitive service positions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONVERSION OF CERTAIN EXCEPTED SERVICE**  
4 **POSITIONS IN THE UNITED STATES FIRE AD-**  
5 **MINISTRATION TO COMPETITIVE SERVICE**  
6 **POSITIONS.**

7 (a) IN GENERAL.—No later than the date described  
8 under subsection (d)(1), the Director of the Federal  
9 Emergency Management Agency and the Director of the  
10 Office of Personnel Management shall take such actions

1 as necessary to convert each excepted service position es-  
 2 tablished before the date of the enactment of this Act  
 3 under section 7(c)(4) of the Federal Fire Prevention and  
 4 Control Act of 1974 (15 U.S.C. 2206(c)(4)) to a competi-  
 5 tive service position.

6 (b) EFFECT ON EMPLOYEES.—Any employee em-  
 7 ployed on the date of the enactment of this Act in an ex-  
 8 cepted service position converted under subsection (a)—

9 (1) shall remain employed in the competitive  
 10 service position so converted without a break in serv-  
 11 ice;

12 (2) by reason of such conversion, shall have  
 13 no—

14 (A) diminution of seniority;

15 (B) reduction of cumulative years of serv-  
 16 ice; and

17 (C) requirement to serve an additional pro-  
 18 bationary period applied; and

19 (3) shall retain their standing and participation  
 20 with respect to chapter 83 or 84 of title 5, United  
 21 States Code, relating to Federal retirement.

22 (c) PROSPECTIVE COMPETITIVE SERVICE POSI-  
 23 TIONS.—Section 7(c)(4) of the Federal Fire Prevention  
 24 and Control Act of 1974 (15 U.S.C. 2206(c)(4)) is amend-  
 25 ed to read as follows:

1           “(4) appoint faculty members to competitive  
2           service positions and with respect to temporary and  
3           intermittent services, to make appointments of con-  
4           sultants to the same extent as is authorized by sec-  
5           tion 3109 of title 5, United States Code;”.

6           (d) EFFECTIVE DATE.—(1) Except as provided  
7           under paragraph (2), this Act shall take effect on the first  
8           day of the first pay period, applicable to the positions de-  
9           scribed under subsection (a), beginning after the date of  
10          the enactment of this Act.

11          (2)(A) The Director of the Federal Emergency Man-  
12          agement Agency and the Director of the Office of Person-  
13          nel Management shall take such actions as directed under  
14          subsection (a) on and after the date of the enactment of  
15          this Act.

16          (B) Subsection (c) shall take effect on the date of  
17          the enactment of this Act.

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